



DEPARTMENT OF PUBLIC WORKS 100 NEW CHURCHMANS ROAD NEW CASTLE, DELAWARE 19720

(302) 323-2642

OPERATIONS DIVISION

September 16, 1992

OFFICE OF THE DIRECTOR

Mr. Robert A. Koroncai US EPA Region III General Permits Section Philadelphia, PA 19107

Dear Mr. Koroncai:

Re: Pretreatment Program Audit - Legal Review

In response to your August 19, 1992 correspondence referencing the legal review of New Castle County's Industrial Pretreatment Program, we have sent a copy of your comments to our Law Department for their review.

Because of the quantity of revisions required, we anticipate completion of the ordinance amendment to be in the March - April timeframe. We intend on completing an initial draft of the ordinance in January, and will submit this draft for your review at that time.

If you have any questions on our proposed schedule, please contact me at (302) 323-2642.

Sincerely

JB Asthana

J.B. Asthana, Ph.D., P.E.

Chief of Environmental Engineering

cc: Mr. Francisco Cruz, US EPA

Mr. John DeFriece, DNREC

Lydia F. Anderson, Esq. NCC Law Department



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building Philadelphia, Pennsylvania 19107 Please File in New Castle County Pretreatmen File.

AUG 19 1992

J. B. Asthana, Ph.D., P.E. New Castle County Department of Public Works 100 Churchmans Road New Castle, DE 19720

Re:

Pretreatment Program Audit - Legal Review

MOT Wastewater Treatment Plant NPDES Permit No. DE0050547

Dear Dr. Asthana:

A.

Enclosed are our comments on the legal authority review of your pretreatment program as required by the pretreatment audit checklist. Please note that some of our comments require revision of your ordinance and other comments recommend changes to your ordinance that if they are implemented will strengthen your pretreatment program.

Please respond to the enclosed comments within 30 days of receipt of this letter. If you have any questions regarding this matter, please contact Mr. Francisco Cruz of my staff at 215/597-8813.

Sincerely,

Robert A. Koroncai, Chief General Permits Section

Enclosure

cc: John DeFriece, DNREC

COMMENTS ON THE LEGAL AUTHORITY OF NEW CASTLE COUNTY, DELAWARE TO IMPLEMENT A LOCAL PRETREATMENT PROGRAM

I. GENERAL COMMENTS

Regulation of Non-Domestic Wastewater Discharges into the Public Sewer System (Chapter 16 of Ordinance No. 91-139, dated 6/11/91 and 3/3/92 amendments) hereafter referred to as the *ordinance*. The intent of the review was to determine whether New Castle County, Delaware (hereafter referred to as the *County*) has adequate authority to implement and enforce a pretreatment program in compliance with the General Pretreatment Regulations set forth in 40 Code of Federal Regulations (CFR) Part 403. The following comments and attached legal authority checklist identify provisions for which revisions are either: (1) necessary because the specific legal authority provided by the ordinance is inconsistent with Federal pretreatment regulations; or (2) recommended to strengthen or clarify the ordinance. This review did not include ordinances of municipalities which send their wastewater to the County's treatment plant. These municipal ordinances are a necessary part of the County's pretreatment program and the County must ensure that these ordinances are updated as well. Since these ordinances are likely to be similar to the County's ordinance, the following comments may also be applicable to the municipal ordinances.

In response to this legal authority review, the County must both revise its ordinance and have the municipal ordinances revised. The revisions must be submitted to EPA for approval as a substantial program modification in accordance with 40 C.F.R. 403.18. While EPA cannot approve the revisions until the County's ordinance and municipal ordinances are enacted, it is recommended that a draft be submitted for review prior to enactment.

II. COMMENTS CORRESPONDING TO THE LEGAL AUTHORITY CHECKLIST

All comments below correspond to the attached legal authority checklist. Items checked "No

Revision* comply with minimum Federal requirements. Items identified as *Revision Recommended* provide acceptable legal authority which may be strengthened through revisions. Items identified as *Revision Required* either are missing from the ordinance or are inconsistent with minimum legal authority requirements for approved pretreatment programs.

A. Definitions:

Although the Federal pretreatment regulations do not require local sewer use ordinances to include a "definitions" section, definitions clarify and strengthen substantive pretreatment program provisions. To the extent the County chooses to use terms which are defined in the General Pretreatment Regulations, the County's definitions may not be less stringent or inclusive than EPA's definitions. Where key terms must be construed differently than their "common" meaning, definitions are also required.

(1) Interference- Revision Required

The ordinance defines interference as an inhibition or disruption of the treatment processes or operations, or its sludge processes, use or disposal. It is not clear from this definition how the County would determine whether a discharge caused interference. The General Pretreatment Regulations, 40 CFR 403.3 (i) establishes that an interference has taken place when an inhibition or disruption of the treatment processes or operations, or its sludge processes causes a violation of the POTWs NPDES permit or causes the prevention of sewage sludge or disposal. In order to more clearly define interference, the definition must be revised to be consistent with the definition in the General Pretreatment Regulations.

(2) Pass Through - Revision Required

The term "pass through" is not defined in the ordinance, although the concept is used in the Prohibited Discharges section (§ 16-61(g)). Because the prevention of pass through is one of the key goals of the pretreatment program and is used in the County ordinance, it is required that this term be defined. 40 CFR 403.3(n) defines pass through as a discharge which exits the POTW into a waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation)

(4) New Source - Revision Required

The term "new source" is not used or defined in the ordinance. Federal regulations for certain categorical standards distinguish between new and existing sources of discharges. To clarify for industrial users the applicability of certain federal standards, the ordinance must be revised to include a definition of "new source" consistent with the definition in 40 CFR 403.3(k).

(6) Pretreatment Requirement - Revision Recommended

The ordinance does not include a definition for "Pretreatment Requirement" although this term is used in the Permit Conditions section (§16-63(d)(5)). 40 CFR 403.3(r) defines "Pretreatment Requirement" as any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial user. In order to clarify the meaning of the term used in § 16-63(d)(5), it is recommended that a definition be included in the ordinance.

(8) Slug Load or Slug - Revision Required

The ordinance does not use or define the term "slug load or slug". The General Pretreatment Regulations, §403.8(f)(2)(v) defines "slug discharge" as any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch discharge. §403.12(f) defines "slug loading" in terms of the specific prohibitions found in §403.5. Incorporating these sections into a definition would result in language similar to "any discharge of a non-routine, episodic nature or a discharge at a flow rate or concentration which could cause a violation of the prohibited

discharge standards in Section 16-61 of the ordinance. The ordinance must be revised to include use and definition of this term in accordance with the General Pretreatment Regulations.

B. Prohibited Discharges

(1) General Prohibitions - No Revision

A revision of this section is not necessary if the definitions of pass through and interference are revised as explained above.

(4) National Categorical Standards - Revision Required

The ordinance does not include a provision which incorporates the National Categorical pretreatment standards. The ordinance must be revised to incorporate these standards. The Model Ordinance provides sample language in §2.2 where it states "The Categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated."

C. Control Discharges to POTW System

(1) Deny/Condition New or Increased Contributions - Revision Required

40 CFR 403.8(f)(1)(i) requires that the POTWs legal authority must enable the POTW to deny or condition new or increased contributions of pollutants or changes in the nature of pollutants, to the POTW by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the POTW to violate its NPDES permit.

Ordinance §16-63 contains the permit program provisions. This section lists the information required in a permit application and states that after evaluation and acceptance of the furnished permit application data, the County will issue a draft permit within 45 days. Because there is no statement in §16-63 or anywhere else in the ordinance which gives the County the legal authority to deny new or increased contributions, it is required that this section be revised.

(3) Individual Control Mechanism - Revision Required

40 CFR 403.8(f)(1)(iii) establishes the minimum requirements that must be included in a control mechanism. The ordinance must provide the legal authority for the County to include these provisions in a control mechanism.

- (a) Statement of Duration Section 16-63(e) of the ordinance establishes permit duration for a period of time not to exceed five years, but further states that if the user is not notified by the County thirty days prior to the permit expiration date, the permit shall be extended one additional year. 40 CFR 403.8(f)(1)(iii)(A) establishes that permit duration can in no case be more than five years. The General Pretreatment Regulations do not give the County the authority to extend industrial user permits beyond the five year maximum period. Therefore, the County must revise the ordinance to delete the provision which gives authority for a one year extension.
- (e) Applicable Civil and Criminal Penalties- 40 CFR 403.8(f)(1)(iii)(E) requires that the POTW have the legal authority to issue industrial user permits which contain a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements. The ordinance does not include a provision giving this authority, and therefore must be revised.

(4) Require Development of Slug/Spill Plan - Revision Required

A provision must be included to give the County the legal authority to require industrial users to develop a slug/spill plan, per 40 CFR 403.8(f)(2)(v).

D. Require Development of Compliance Schedule and Reports

(2)(a) Baseline Monitoring Report/Permit Application - Revision Required

The County ordinance does not require baseline monitoring reports (BMRs), but requires submission of most of the same information within a permit application. While it is acceptable to use the permit application format to elicit this information from industrial users instead of through a baseline monitoring report, all of the content requirements and timeframes for BMRs must be met.

40 CFR 403.12(b) establishes the timeframes by which a baseline monitoring report must be submitted.

1.

According to 40 CFR 403.12(b), within 180 days after the effective date of a categorical pretreatment standard, or 180 days after the final administrative decision made upon a category determination, whichever is later, existing industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit to the Control Authority a baseline monitoring report. This section also requires that at least ninety days prior to commencement of discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical standard, shall be required to submit a baseline monitoring report.

The County ordinance, in §16-63(b), requires much of the BMR application information but does not include deadlines for submission of this information which are in accordance with the BMR requirements discussed above. Instead §16-63(a) requires submission of a permit application within ninety days of an industrial users notification by the County to apply for a permit. If the County is going to continue to use permit applications to obtain BMR information, §16-63(a) must be revised to be consistent with the timeframe requirements outlined in the above paragraph. As noted in the definition section above, definition of the term "new source" is needed since BMR submission deadlines differ for new sources.

40 CFR 403.12(b)(1-7) lists the information that is required in a baseline monitoring report. The permit application requirements in §16-63(b) do not include all of the required information. The ordinance must be revised to give the County the authority to require the industrial user to submit a listing of any environmental control permits held by or for the facility, in accordance with 40 CFR 403.12(b)(2).

40 CFR 403.12(b)(5) also requires submission of sampling and analysis results as part of the BMR. Part 403.12(b)(5)(ii)-(viii) outlines the requirements for this industrial user sampling and analysis. The County ordinance does not include a provision giving the County the legal authority to require

submission of this information. Submission of all parts of the baseline monitoring report is required by the General Pretreatment Regulations, and therefore, §16-63 of the ordinance must be revised to give the County the necessary legal authority to require it.

40 CFR 403.12(b)(6) requires that the baseline monitoring report include a statement, reviewed by an authorized representative of the industrial user and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance and or additional pretreatment is required for the industrial user to meet the pretreatment standards and requirements.

Ordinance § 16-63(b)(8) requires submission, with the permit application, of a statement of whether the pretreatment standards are being met on a consistent basis, and, if not, whether additional pretreatment is required to meet applicable standards. This section does not include a requirement that the statement be reviewed by an authorized representative and certified by a qualified professional. The ordinance must be revised to include this review and certification requirement.

It should also be noted that the term "baseline monitoring report" is used within the definition of significant non-compliance (SNC) in §16-60(nn) of the ordinance. If BMRs are not required by the ordinance, and not defined, use of the term in the SNC definition may cause confusion.

(2)(b) Compliance Schedule Monitoring - Revision Recommended

Sections 16-63(b)(9), (d)(7), and (d)(9) contain the requirements for compliance schedules. These sections are consistent with 40 CFR 403.12(c) except that the deadline for submission of periodic progress reports is not specified in the County ordinance. Part 403.12(c)(3) specifies that progress reports are due no later than fourteen days following each schedule date and the final compliance date. It is recommended that the County revise the ordinance to include this fourteen day requirement.

(2)(c) Report on Compliance with Categorical Deadline - Revision Required

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40 CFR 403.12(d) requires industrial users to submit a report concerning compliance with categorical pretreatment standard deadlines. This report must be submitted within ninety days of the date of final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW.

The County ordinance does not contain a similar provision. According to 40 CFR 403.8(f)(1)(iv), the ordinance must provide the County with the legal authority to require this report. Therefore, the ordinance must be revised to include this authority.

(2)(f) Notice of Violation/Resampling Requirement - Revision Required

40 CFR 403.12(g)(2) requires that if sampling performed by an industrial user indicates a violation, the user shall notify the Control Authority within twenty-four hours of becoming aware of the violation. The user is also required to repeat the sampling and analysis and submit the results of the repeat analysis to the Control Authority within thirty days of becoming aware of the violation.

40 CFR 403.8(f)(1)(iv) requires that the County have the legal authority in the ordinance to require this notification and resampling. The County ordinance does not include a notification and resampling provision, and so must be revised.

(2)(h) Notification of Discharge of Hazardous Wastes - Revision Required

40 CFR 403.12(p)(1) requires that industrial users notify the POTW, EPA, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

40 CFR 403.8(f)(1)(iv) requires that the County have sufficient legal authority to require this notification. The ordinance does not include a provision to require hazardous waste notification, and therefore, must be revised.

(2)(i) Submission of Monitoring Data - Revision Required

40 CFR 403.12(g)(5) requires that industrial users submit the results of all self-monitoring, including the results of monitoring which an industrial user has done more frequently then required. Because the ordinance does not include a provision giving the County the legal authority to require this, the ordinance must be revised.

(2)(j)(i) Appropriate O&M/Pretreatment Certification - Revision Required

40 CFR 402.12(b)(6) requires that the statement of whether pretreatment standards are being met and, if not, whether additional operation and maintenance or pretreatment is required must be reviewed by an authorized representative of the industrial user and certified by a qualified professional. While the ordinance requires submission of this statement, it does not require review and certification, and therefore, must be revised.

(2)(j)(ii) Data Accuracy Certification/Authorized Signatory - Revision Required

As specified in 40 CFR 403.12(I), BMRs, reports on compliance with categorical standard deadlines, and periodic compliance reports for industrial users must be signed by the appropriate official and contain the certification statement in 40 CFR 403.6(a)(2)(ii), which attests to the integrity of the analytical data submitted. A provision consistent with the above requirement must be included in the ordinance. There is sample language in §4.6 of the Model Ordinance.

Other Comments on Legal Authority- Revision Required

Section 16-62(b) of the ordinance provide for special agreements or arrangements between the Authority and industrial users to accept waste of unusual character. A sentence must be added to this provision making it clear that in no case will a special agreement waive compliance with a pretreatment standard or requirement, including local limits, without prior express, written approval from USEPA.

DATE August 11, 1992 MUNICIPALITY New Castle County, DE0050547

LEGAL AUTHORITY CHECKLIST

This checklist sets out the minimum requirements necessary for a POTW to comply with the federal pretreatment regulations (40 CFR §403.8(f)). The pretreatment ordinance reviewed must be no less stringent than the listed provisions. The checklist also includes several optional provisions (I-L). The optional provisions need not be included in the ordinance, but if they are, they must be no less stringent than the regulatory provision. The basic definitions should be provided in order that the remainder of the ordinance will make sense, even though they are not required by 40 CFR §403.8(f). The requirements which a POTW must meet are set out in 40 CFR 403.8(f). This checklist incorporates other sections which are necessary to comply with 403.8(f). All cites in brackets, [], refer to Title 40.

In addition, each section of the checklist references the attached June 1992 MODEL PRETREATMENT ORDINANCE (MODEL). The MODEL was developed by EPA as a guide for POTW's in developing their pretreatment programs. The references to the MODEL are included to provide the reviewer/municipality with an example of an adequate provision which meets or exceeds the federal regulations. Be advised that this MODEL is the "Cadillac" version. A pretreatment ordinance does <u>not</u> have to conform to the MODEL. It may be used for comparison with the ordinance, or to provide the POTW with a recommendation in an area in which the ordinance is deficient. However, so long as the pretreatment ordinance complies with the minimum requirements in the checklist below, the POTW's program is adequate.

			No Revision	Revision Recommended	Revision Required	Ordinance Section
A.		nitions .3 and 403.8(f)(2)(v)]				
	(1)	Interference MODEL §1.4 (L)			x	_16-60(t)
	(2)	Pass Through MODEL §1.4(P)		·	x	
	(3)	User or Industrial User MODEL §1.4(GG)		X		16-60(r),(tt)
	(4)	New Source MODEL §1.4(N)			X	
	(5)	Pretreatment Standard MODEL §1.4(V)	X			16-60 (w)
	(6)	Pretreatment Requirement MODEL §1.4(U)		X		
	(7)	Significant Industrial User MODEL §1.4(AA)	X			16-60 (mm)

	(8)	Slug Load or Slug	No Revision	Revision Recommended	Revision Required	Ordinance Section
	(0)	MODEL §1.4(BB)		1	X	
	(9)	Other Needed Definitions	X	-		
B.	Prof	nibited Discharges				
	(1)	General Prohibitions [403.5(a)] MODEL §2.1(A)				
		♦ Interference	X		2	16-61 (g) (z)
		♦ Pass Through	X			16-61(g)(4)
	(2)	Specific Prohibitions [403.5(b)]				
		♦ Fire/Explosive Hazard MODEL §2.1(B)(1)	X			<u>16-61 (d)</u>
		♦ PH/Corrosion MODEL §2.1(B)(2)	X	<u> </u>		16-61(j)
		♦ Solid or viscous/obstruction MODEL §2.1(B)(3)	X			16-61(g),(h),(i)
		♦ Flow Rate/Concentration MODEL §2.1(B)(4)	X	·		16-61(g)
		♦ Heat MODEL §2.1(B)(5)	X		-	<u>16-61(a)</u>
		◆ Petroleum/Nonbiodegradable Cutting/Mineral Oils MODEL §2.1(B)(6)	X	9		16-61(b)
		♦ Toxic Gases/Vapors/Fumes MODEL §2.1(B)(7)	X	-	-	16-61(e)
		♦ Trucked/Hauled Wastes MODEL §2.1(B)(8)	X			16-61(f)
	(3)	Enforceable Local Limits [403.8(f)(4) and 403.5(c) & (d)] MODEL §2.4	X			16-62(a) 16-63(d),(z)

			No Revision	Revision Recommended	Revision Required	Ordinance Section
	(4)	National Categorical Standards [403.8(f)(1)(ii) and 403.6] MODEL §2.2			X	
	(5)	Prohibition Against Dilution As Treatment [403.6(d)] MODEL § 2.6	x	12-07-07-07-07-07		16-61(k), 16-62(f)
C.	Cont	rol Discharges to POTW System				
	(1)	Deny/Condition New or Increased Contributions [403.8(f)(1)(i)] MODEL §§4.7, 5.2			x	16-63
	(2)	Require Compliance with Applicable Standards/Requirements [403.8(f)(1)(ii)] MODEL §§ 2.1-2.4, 5.2	X		<u> </u>	1 <u>6-62(a)</u> ,(d)
	(3)	Individual Control Mechanism to Ensure Compliance [403.8(f)(1)(iii)] MODEL §\$4,5				
		 (a) Statement of Duration (b) Statement of Non-transferability (c) Effluent Limits (d) Self-Monitoring & Reports (e) Applicable Civil & Criminal Penalties 	X X 		X	16-63(e) 16-63(f) 16-62(a), (d), 16-63 16-63(d) (5) (2), (5
	(4)	Require Development of Slug/Spill Plan [403.8(f)(2)(v)] MODEL §3.3	-	P	x	
D.		uire Development of Compliance dule and Reports				
	(1)	Develop Compliance Schedule for Installation of Technology [403.8(f)(1)(iv)] MODEL §§5.2(B)(2), 10.4	x			<u>16-63(b)(9)</u>
	(2)	Reporting Requirements				
		♦ Types of Reports				

(a)	Baseline Monitoring Report and/or	No Revision	Revision Recommended	Revision Required	Ordinance Section
	Permit Application [403.12(b)] MODEL §S 4.5, 6.1 (1) Identifying Information (2) Permits (3) Description of operations (4) Flow Measurement (5) Measurement of pollutants (6) Certification (7) Compliance Schedule	X X X	X	X X X	$ \frac{16-63(a), (b)}{16-63(b)(1)} $ $ \frac{16-63(b)(12)}{16-63(b)(6-10)} $ $ \frac{16-63(b)(2), (4), (5)}{16-63(b)(9)} $
(b)	Compliance Schedule Monitoring Report [403.12(c)] MODEL §6.2		x		<u>16-63(b)(9),16-63(</u> (7),(9)
(c)	Report on Compliance with Categorical Deadline [403.12(d)] MODEL §6.3			X	
(d)	Periodic Compliance Report MODEL §6.4				
	(i) From Categorical Users [403.12(e)]	X			<u>16-63(d)</u> (7)
	(ii) From Significant Noncategorical Users [403.12(h)]	x		[<u>16-63(d)</u> (7)
(e)	Notice of Potential Problems [403.12(f)] MODEL §6.6	X			<u>16-67(a)</u>
(f)	Notice of Violation/Resampling Requirement [403.12(g)(2)] MODEL §6.8		,	x	
(g)	Notice of Changed Discharge [403.12(j)] MODEL §6.5	X	E-		<u>16-63(d)</u> (10)
(h)	Notification of Discharge of Hazardous Wastes [403.12(p)] MODEL §6.9			x	

					No Revision	Revision Recommended	Revision Required	Ordinance Section
		(i)	[403	mission of all monitoring data 3.12(g)(5)] DEL §6.4(c)	C ronical Asserta		X	
		♦ O	her I	Requirements				
		(j)	Sign	natory/Certification Requiremen	nts			
			(i)	Appropriate O&M/ Pretreatment Certification [403.12(b)(6)] MODEL §6.1(B)(6)	<u></u>		X	
			(ii)	Data Accuracy Certification/Authorized Signatory [403.12(1) and 403.6(a)(2)(ii)] MODEL §4.6			X	
		(k)	[403	ord Keeping Requirement 3.12(0)] DEL §6.13	X			<u>16-63(d)</u> (8)
E.	Test	Proce	dures	5				
		(a)	[40	of EPA Approved Procedures CFR 136] DEL §6.10	X		F	<u>16-65(c</u>)i
		(b)	Rep [403	quirement to Conduct presentative Sampling 3.12(g)(3)] ODEL § 6.4(b)	x			16-65(c), 16-65(d)
F.	[403.	ection 8(f)(1 DEL §)(v)]	Monitoring Procedures				
	(1)	Righ	it to	Enter at Reasonable times	X			16-65
	(2)			Inspect Generally	X	1		16-65
	(3)	Righ	it to	Take Independent Samples	X	-	-	16-65

			No Revision	Revision Recommended	Revision Required	Ordinance Section
	(4)	Right to Require Installation of Monitoring Equipment	X			16-65(b)
	(5)	Right to Inspect and Copy Records	X	-	-	<u>16-63(d)</u> (8)
G.		edies for Noncompliance (Enforcement) 8(f)(1)(vi)]				
	(1)	Nonemergency Response				
		♦ Injunctive Relief MODEL §11.1	X			<u>16-71(a)</u>
		♦ Civil/Criminal Penalties MODEL §§11.2, 11.3	X			<u>16-71(b)</u> ,(c)
	(2)	Emergency Response				
		♦ Immediately Halt Actual/ Threatened Discharge MODEL §§10.7, 10.8	X			16-70(f)
H.	<u>Publ</u>	ic Participation				
	(1)	Publish List of Industrial Users in Significant Noncompliance [403.8(f)(2)(vii)] MODEL §9	x		:	16-68
	(2)	Access to Data [403.8(f)(1)(vii) and 403.14] MODEL §8				
		♦ Government	X			16-69
		♦ Public	x		1	16-69

	No Revision	Revision Recommended	Revision Required	Ordinance Section
FOLLOWING PROVISIONS ARE OPTIONAL:				
I. Net/Gross Calculation (403.15) MODEL 2.2(D)	X			
J. <u>Upset [403.16]</u> MODEL §13.1	x			
K. <u>Bypass [403.17]</u> MODEL §13.3	x			
L. Penalty Appeals [PA Publicly Owned Treatment Works Penalty Law]	X			